

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 05-346 SLR
	:	
ACARTUS, INC.,	:	
	:	
Defendant.	:	

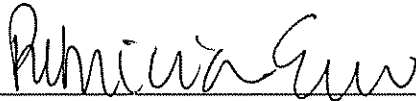
NOTICE OF DEPOSITION

TO: Mary B. Graham, Esquire
Morris, Nichols, Arsht & Tunnell
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 30, plaintiff Mobius Management Systems, Inc. will take the deposition of defendant Acartus, Inc. by the following officer or agent before a notary public or other officer authorized by law to administer oaths, at the offices of The Bayard Firm, 222 Delaware Avenue, Suite 900, Wilmington, Delaware, at the dates and times set forth below:

Bradley J. Florin on November 1, 2005 at 10:00 A.M.

THE BAYARD FIRM



Kurt M. Heyman (# 3054)

Patricia L. Enerio (# 3728)

Email: kheyman@bayardfirm.com

Email: penerio@bayardfirm.com

222 Delaware Avenue, Suite 900

P.O. Box 25130

Wilmington, DE 19899

(302) 655-5000

Attorneys for Plaintiff

Mobius Management Systems, Inc.

OF COUNSEL:

KRAMER LEVIN NAFTALIS & FRANKEL LLP

Randy Lipsitz

Jonathan M. Wagner

Norman C. Simon

1177 Avenue of the Americas

New York, New York 10036

(212) 715-9100

Dated: October 7, 2005

CERTIFICATE OF SERVICE

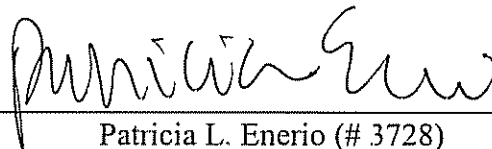
Patricia L. Enerio, Esquire, hereby certifies that on October 7, 2005, copies of the foregoing Plaintiff's Notice of Deposition were served upon the following:

VIA HAND DELIVERY

Mary B. Graham, Esquire
Morris, Nichols, Arsht & Tunnell
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347

VIA FACSIMILE

Regan J. Fay, Esquire
Meredith M. Wilkes, Esquire
Jones Day
North Point, 901 Lakeside Avenue
Cleveland, OH 44114-1190

A handwritten signature in black ink, appearing to read 'Patricia L. Enerio', is written over a horizontal line.

Patricia L. Enerio (# 3728)